

United States Bankruptcy Court
Eastern District of North Carolina

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Phillips, Shelby D.		Name of Joint Debtor (Spouse) (Last, First, Middle): Phillips, Undray																																																																																											
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):																																																																																											
Last four digits of Soc. Sec./Complete EIN or other Tax ID No. (if more than one, state all) xxx-xx-0855		Last four digits of Soc. Sec./Complete EIN or other Tax ID No. (if more than one, state all) xxx-xx-5271																																																																																											
Street Address of Debtor (No. and Street, City, and State): 533 Occoneechee Neck Road Jackson, NC		Street Address of Joint Debtor (No. and Street, City, and State): 533 Occoneechee Road Jackson, NC																																																																																											
ZIP Code 27845		ZIP Code 27845																																																																																											
County of Residence or of the Principal Place of Business: Northampton		County of Residence or of the Principal Place of Business: Northampton																																																																																											
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):																																																																																											
ZIP Code		ZIP Code																																																																																											
Location of Principal Assets of Business Debtor (if different from street address above):																																																																																													
Type of Debtor (Form of Organization) (Check one box) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other TAX-EXEMPT ENTITY (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input checked="" type="checkbox"/> Chapter 13 Nature of Debts (Check one box) <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.																																																																																											
		<input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding																																																																																											
Filing Fee (Check one box)		Check one box: <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.																																																																																											
		Chapter 11 Debtors <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.																																																																																											
		Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).																																																																																											
Statistical/Administrative Information <table border="1"> <tr> <td colspan="10">Debtor estimates that funds will be available for distribution to unsecured creditors.</td> </tr> <tr> <td colspan="10">Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.</td> </tr> <tr> <td colspan="10">Estimated Number of Creditors</td> </tr> <tr> <td>1- 49</td> <td>50- 99</td> <td>100- 199</td> <td>200- 999</td> <td>1,000- 5,000</td> <td>5,001- 10,000</td> <td>10,001- 25,000</td> <td>25,001- 50,000</td> <td>50,001- 100,000</td> <td>OVER 100,000</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td colspan="10">Estimated Assets</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> \$0 to \$10,000</td> <td colspan="2"><input checked="" type="checkbox"/> \$10,001 to \$100,000</td> <td colspan="2"><input type="checkbox"/> \$100,001 to \$1 million</td> <td colspan="2"><input type="checkbox"/> \$1,000,001 to \$100 million</td> <td colspan="2"><input type="checkbox"/> More than \$100 million</td> </tr> <tr> <td colspan="10">Estimated Liabilities</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> \$0 to \$50,000</td> <td colspan="2"><input type="checkbox"/> \$50,001 to \$100,000</td> <td colspan="2"><input checked="" type="checkbox"/> \$100,001 to \$1 million</td> <td colspan="2"><input type="checkbox"/> \$1,000,001 to \$100 million</td> <td colspan="2"><input type="checkbox"/> More than \$100 million</td> </tr> </table>				Debtor estimates that funds will be available for distribution to unsecured creditors.										Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.										Estimated Number of Creditors										1- 49	50- 99	100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Estimated Assets										<input type="checkbox"/> \$0 to \$10,000		<input checked="" type="checkbox"/> \$10,001 to \$100,000		<input type="checkbox"/> \$100,001 to \$1 million		<input type="checkbox"/> \$1,000,001 to \$100 million		<input type="checkbox"/> More than \$100 million		Estimated Liabilities										<input type="checkbox"/> \$0 to \$50,000		<input type="checkbox"/> \$50,001 to \$100,000		<input checked="" type="checkbox"/> \$100,001 to \$1 million		<input type="checkbox"/> \$1,000,001 to \$100 million		<input type="checkbox"/> More than \$100 million									
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THIS SPACE IS FOR COURT USE ONLY																																																																																													

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): Phillips, Shelby D. Phillips, Undray	
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)			
Location Where Filed: Eastern District of NC	Case Number: 05-07992-8-RDD	Date Filed: 10/02/05	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: - None -	Case Number:	Date Filed:	
District:	Relationship:	Judge:	
Exhibit A		Exhibit B	
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)		(To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).	
<input type="checkbox"/> Exhibit A is attached and made a part of this petition.		X /s/ Michael P. Peavey October 5, 2007 Signature of Attorney for Debtor(s) (Date) Michael P. Peavey 6330	
Exhibit C			
Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?			
<input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No.			
Exhibit D			
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)			
<input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition.			
If this is a joint petition:			
<input checked="" type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
Information Regarding the Debtor - Venue			
(Check any applicable box)			
<input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
Statement by a Debtor Who Resides as a Tenant of Residential Property			
(Check all applicable boxes)			
<input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)			
(Name of landlord that obtained judgment)			
(Address of landlord)			
<input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.			

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): Phillips, Shelby D. Phillips, Undray
Signatures		
Signature(s) of Debtor(s) (Individual/Joint) <p>I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).</p> <p>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X <u>/s/ Shelby D. Phillips</u> Signature of Debtor Shelby D. Phillips</p>		
<p>Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.)</p> <p><input type="checkbox"/> I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.</p> <p><input type="checkbox"/> Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.</p> <p>X _____ Signature of Foreign Representative</p>		
<p>Printed Name of Foreign Representative</p> <p>Date</p> <p>Signature of Non-Attorney Bankruptcy Petition Preparer I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.</p> <p>Printed Name and title, if any, of Bankruptcy Petition Preparer</p> <p>Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)</p> <p>Address</p> <p>Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X _____ Signature of Authorized Individual</p> <p>Printed Name of Authorized Individual</p> <p>Title of Authorized Individual</p> <p>Date</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p><i>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.</i></p>		

United States Bankruptcy Court
Eastern District of North Carolina

In re Shelby D. Phillips
Undray Phillips

Debtor(s)

Case No.
Chapter

13

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH
CREDIT COUNSELING REQUIREMENT**

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.]* _____

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

Active military duty in a military combat zone.

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Shelby D. Phillips
Shelby D. Phillips

Date: October 5, 2007

United States Bankruptcy Court
Eastern District of North Carolina

In re Shelby D. Phillips
Undray Phillips

Debtor(s)

Case No.
Chapter

13

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH
CREDIT COUNSELING REQUIREMENT**

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2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Must be accompanied by a motion for determination by the court.][Summarize exigent circumstances here.]* _____

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

Active military duty in a military combat zone.

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Undray Phillips
Undray Phillips

Date: October 5, 2007

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **Shelby D. Phillips
Undray Phillips**

Debtor(s)

Case No.
Chapter

13

VERIFICATION OF CREDITOR MATRIX

The above-named Debtors hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: October 5, 2007

/s/ Shelby D. Phillips

Shelby D. Phillips

Signature of Debtor

Date: October 5, 2007

/s/ Undray Phillips

Undray Phillips

Signature of Debtor

Advanced Home Care
P. O. Box 651157
Charlotte, NC 28265-1157

Dr. John R. Powell, Jr., DDS
c/o Credit Bureau of Durham
P. O. Box 530
Durham, NC 27702-0530

Internal Revenue Service
P. O. Box 21126
Philadelphia, PA 19114

Anderson Financial Network
P. O. Box 3097
Bloomington, IL 61702-3097

Eastern Neurosurgical
c/o Southern Credit Adjusters
P. O. Box 2764
Rocky Mount, NC 27802

J. L. Walston & Associates
1530 N. Gregson Street
Durham, NC 27701

Asset Acceptance Corp.
P. O. Box 2036
Warren, MI 48090-2036

Eastern Radiologists, Inc.
9 Doctors Park
Greenville, NC 27834

Log Cabin Homes Ltd.
513 Keen Street
Rocky Mount, NC 27804

AT&T Credit Management Center
P. O. Box 57907
Salt Lake City, UT 84157-0907

ECU School of Medicine
Greenville, NC 27858

MoneyMartCom
c/o TXCollect
2101 W. Ben White Blvd.
Austin, TX 78704-7516

Capital One
P. O. Box 85520
Richmond, VA 23285-5520

First Premier
900 Delaware, Ste. 7
Sioux Falls, SD 57104

NC Department of Revenue
Bankruptcy Unit
P. O. Box 1168
Raleigh, NC 27602-1168

Centra Federal Credit Union
c/o Collection Associates
P. O. Box 349
Greensburg, IN 47240-2341

Firstpoint Collection
P. O. Box 26140
Greensboro, NC 27402-6140

NCO Financial
507 Prudential Road
Horsham, PA 19044-2308

Certegy
P. O. Box 30046
Tampa, FL 33630-3046

Halifax Northampton Internal Medici
c/o Online Collections
202 Firetower Road
Winterville, NC 28590-8412

Online Collection Services
202 West Firetower Road
Winterville, NC 28590

Credit Consultants of Central Carol
P. O. Box 14008
High Point, NC 27263

Halifax Regional Medical Center
P. O. Box 1089
Roanoke Rapids, NC 27870

Pitt Co. Memorial Hospital
P. O. Box 8447
Greenville, NC 27835-8447

Dish Network
Dept. 0063
Palatine, IL 60055-0063

Halifax X-Ray Associates
P. O. Box 249
Roanoke Rapids, NC 27870

Premium Payment
c/o 1st Point
2840 Electric Road, Ste. 202
Roanoke, VA 24018

SCA Collections
300 E. Arlington Blvd.
Greenville, NC 27858-5016

SE Acute Care
P. O. Box 2764
Rocky Mount, NC 27802

SE Acute Care
c/o Southern Credit Adjusters
P. O. Box 2764
Rocky Mount, NC 27802

Southern Credit Adjusters
P. O. Box 2764
Rocky Mount, NC 27802

Southern Loans
407 Sunset Avenue
Rocky Mount, NC 27804

Speigel
c/o Cardholder Management Services
101 Crossways Park Dr.
Woodbury, NY 11797-2016